

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Fire Insurance Exchange,

NO. C 03-02643 JW

Plaintiff,

**ORDER SETTING HEARING TO SHOW  
CAUSE RE: SETTLEMENT**

v.

GSW, Inc, et al.,

Defendants.

Based on an understanding that the parties had reached settlement, the Court's Order to Show Cause filed October 13, 2005 ("October OSC" Docket Item No. 47) set a November 30, 2005 deadline for the parties to file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a). The parties have not so filed. Accordingly, as set by the Court's October OSC, the parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca., on Monday, January 9, 2006 at 9:00 a.m., to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). As the Court has alerted the parties via telephone, the original date of January 10, 2006 for the parties to appear has been moved so that the parties are now instructed to appear on January 9, 2006.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: January 4, 2006

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/s/ James Ware

JAMES WARE  
United States District Judge

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: January 4, 2006**

**Richard W. Wieking, Clerk**

**By: /s/ JW Chambers**  
**Melissa Peralta**  
**Courtroom Deputy**